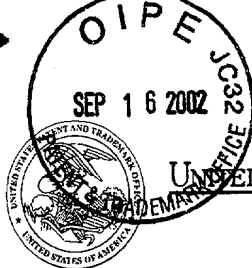


Docketed



UNITED STATES PATENT AND TRADEMARK OFFICE

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APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/911,216	07/23/2001	Davis Foulger	EMPIR-024AUS

CONFIRMATION NO. 4900

022494
DALY, CROWLEY & MOFFORD, LLP
SUITE 101
275 TURNPIKE STREET
CANTON, MA 02021-2310

FORMALITIES LETTER



OC000000008464476

Date Mailed: 07/17/2002

NOTICE TO FILE CORRECTED APPLICATION PAPERS

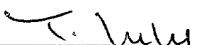
Filing Date Granted

This application has been accorded an Application Number and Filing Date. The application, however, is informal since it does not comply with the regulations for the reason(s) indicated below. Applicant is given **TWO MONTHS** from the date of this Notice within which to correct the informalities indicated below. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a)

The required item(s) identified below must be timely submitted to avoid abandonment:

- Substitute drawings in compliance with 37 CFR 1.84 because:
 - drawing sheets do not have the appropriate margin(s) (see 37 CFR 1.84(g)). Each sheet must include a top margin of at least 2.5 cm. (1 inch), a left side margin of at least 2.5 cm. (1 inch), a right side margin of at least 1.5 cm. (5/8 inch), and a bottom margin of at least 1.0 cm. (3/8 inch);
 - drawings have a line quality that is too light to be reproduced (weight of all lines and letters must be heavy enough to permit adequate reproduction) or text that is illegible (reference characters, sheet numbers, and view numbers must be plain and legible) see 37 CFR 1.84(l) and (p)(1));

A copy of this notice MUST be returned with the reply.


Customer Service Center
Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

2009160-92494



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PTO/SB/21 (08-00)
Approved for use through 10/31/2002. OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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TRANSMITTAL FORM (to be used for all correspondence after initial filing)	Application Number	09/911,216	
	Filing Date	July 23, 2001	
	First Named Inventor	Davis Foulger	
	Group Art Unit	2122	
	Examiner Name	Not Yet Assigned	
Total Number of Pages in This Submission	15	Attorney Docket Number	EMPIR-024AUS

ENCLOSURES (check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment / Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input checked="" type="checkbox"/> Response to Missing Parts/ Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Assignment Papers (for an Application) <input checked="" type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Return-receipt postcard Copy of PTO Notice to Correct Application Papers
Remarks		
In the event a petition for extension of time is required by this paper and not otherwise provided, such petition is hereby made and authorization is provided herewith to charge deposit account No. 50-0845 for the cost of such extension.		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual name	David W. Rouille Reg. No. 40,150 Daly, Crowley & Mofford, LLP
Signature	<i>David W. Rouille</i>
Date	September 10, 2002

CERTIFICATE OF MAILING			
I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, Washington, DC 20231 on this date: September 10, 2002			
Typed or printed name	David W. Rouille	Date	September 10, 2002
Signature	<i>David W. Rouille</i>		

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#5
PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Davis Foulger et al.

Serial No. : 09/911,216

Filed : July 23, 2001

Entitled : METHOD OF BACKTRACING
NETWORK PERFORMANCE

Docket No. : EMPIR-024AUS

Group Art Unit: 2122

Examiner: Not Yet Assigned

Certificate of Mailing (37 C.F.R. 1.8(a))

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first-class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231 on the date set forth below

9/10/02
Date of Signature
and Mail Deposit

David W. Rouille
David W. Rouille
Reg. No. 40,150
Attorney for Applicant(s)

RESPONSE TO NOTICE TO FILE CORRECTED APPLICATION PAPERS

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

This is in response to the Noticed to File Corrected Application Papers date mailed July 17, 2002. Please substitute the enclosed drawing sheets containing formal versions of Figures 1-11 (eleven sheets) for the corresponding drawing sheets currently in the application.

Application No.: 09/911,216

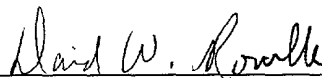
Filed: July 23, 2001

Group Art Unit: 2122

The Assistant Commissioner is hereby authorized to charge payment of any additional fees associated with this communication or credit any overpayment to Deposit Account No. 500845.

Date: 9/17/02

Respectfully submitted,



David W. Rouille

Attorney for Applicant(s)

Reg. No. 40,150

Daly, Crowley & Mofford, LLP

275 Turnpike Street, Suite 101

Canton, MA 02021-2310

Tel: (781) 401-9988, x25

Fax: (781) 401-9966

2009-09-17 09:12:00